

FILED: May 2, 2025

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 24-1384
(5:22-cv-00344-FL)

BENJAMIN C. LOCKE,

Plaintiff - Appellant,

v.

NORTH CAROLINA STATE UNIVERSITY,

Defendant - Appellee.

O R D E R

Benjamin Locke appeals the district court's order dismissing his Title IX claim against North Carolina State University ("NCSU") pursuant to Fed. R. Civ. 12(b)(6) for failure to plead facts sufficient to show that NCSU had notice that its employee was sexually harassing students. We ordered that the appeal be held in abeyance pending argument and decision in *Doe v. N. Carolina State Univ.*, [125 F.4th 498](#) (4th Cir. 2025). On January 7, 2025, this Court issued a decision in *Doe* finding that the plaintiff had sufficiently pled facts to show that NCSU had adequate notice of the alleged sexual harassment. *Doe*, [125 F.4th 498](#) at 503.

Locke now moves for summary reversal of the district court's order based on *Doe*. Because the question here is materially indistinguishable from that decided in *Doe*, we grant Locke's motion for summary reversal and remand the case to the district court for further proceedings. *See* [4th Cir. R. 27\(f\)\(1\)](#).

Entered at the direction of the panel: Judge King, Judge Wynn, and Judge Heytens.

For the Court

/s/ Nwamaka Anowi, Clerk